



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

JUN 10 2004

Ms. Beth O'Donnell
Executive Director
Commonwealth of Kentucky
Public Service Commission
211 Sower Boulevard
Frankfort, Kentucky 40602-0615

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PUBLIC SERVICE
COMMISSION

Dear Ms. O'Donnell:

This concerns your order in Case No. 2004-00006, which involves the Louisville Gas and Electric Company's (LG&E) petition for a finding under 49 CFR 192.150(c) that 352 feet of LG&E's 26.5-mile, 12-inch diameter high pressure gas transmission line is impracticable to design and construct to accommodate the passage of instrumented internal inspection devices. We have considered your order as a recommendation under 49 CFR 190.9 that we grant LG&E's petition.

According to the petition, the 352-foot section was replaced where wet creek beds had shifted and eroded the soil thus completely exposing the pipeline in two separate locations. Bottom-out stopper fittings, which are not designed to accommodate the passage of instrumented internal inspection devices, were used instead of alternative relocation methods that involved shutting down the line.

LG&E maintains that this line is a sole source of gas and shutting it down would cause service interruptions to 2,187 of its customers and subsequent re-lighting difficulties. LG&E does not explain why it is impractical to design and construct the 352 feet of pipeline relocations to accommodate the passage of internal inspection devices. For example, why is it impractical for LG&E to shut down and repair this pipeline during low gas use periods?

We understand there may be times when unforeseen circumstances and emergencies prohibit an operator from complying with the regulations; however, it does not appear that the reasons cited by LG&E constitute unforeseen circumstances or rise to the level of an emergency. Therefore, we object to the petition and recommend the Commission's action granting the petition be stayed.

We recommend that the Commission provide LG&E with a reasonable period of time to design and construct this pipeline section to accommodate the passage of instrumented internal inspection devices.

Sincerely,

Stacey L. Gerard
Associate Administrator
for Pipeline Safety

cc: Eddie B. Smith
Manager, Gas Pipeline Safety Branch